

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 599 OF 2005

Shri Satish Pandharinath Dhole ..Applicant.

V/s.

The State of Maharashtra .. Respondent.

Shri S.V. Marwadi with U.Agandsurve for the Applicant.
 Shri V.B.Konde-Deshmukh, APP for Respondent -State.

CORAM : A.M.KHANWILKAR, J.
DATED : MARCH 02, 2005

PC :-

. Heard the learned counsel for the parties.
 Perused the record.

2. The applicant has approached this court for bail on the argument that co -accused Nos. 1 and 3 are already released on bail and the applicant is also entitled for bail on parity. This submission is, however, resisted by the learned APP, by placing reliance on the role ascribed to the applicant in the first information report itself. The first information report does indicate the presence of the applicant at the scene of the offence. It also indicates that the applicant challenged Rajesh,

whereafter the altercations ensued, resulting in a stab injury inflicted on Rajesh Pardeshi. The other prosecution witnesses present on the scene also claim that they were assaulted with the help of chairs and sticks. However, there is nothing on record to suggest that any of them suffered any injury. The stab injury has been inflicted by Dattatraya Dudhane, accused No.4, who, however, has died while in custody. Taking over all view of the matter, as investigation is complete and chargesheet has been filed, the applicant can be released on bail by imposing strict conditions in the following terms :-

(a) The Applicant is granted bail in connection with C.R.No. 58/2004, registered with Deccan Gymkhana Police Station, Pune, on executing personal bond in the sum of Rs. 50,000/- (Rs. Fifty thousand only) with two local sureties in the like amount.

(b) The applicant shall attend the concerned police station on first Saturday of every English calender month between 10 a.m. to 5 p.m. till the conclusion of the trial.

(c) The applicant shall not enter the jurisdiction

of Kothrud Police Station.

(d) The applicant shall inform his place of residence to the concerned investigating officer as well as the trial court within one week from the date of his release.

(e) The Applicant shall extend co-operation for early disposal of the trial. If the trial court is of the opinion that he is responsible for delay in trial that fact be recorded in the Rozanama, which can be a ground for cancellation of bail.

(f) The applicant shall not influence the prosecution witness or tamper with the prosecution evidence in any manner whatsoever.

3. Ordered accordingly.

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